

PATENT APPLICATION
Docket No.: N.C. 77,897

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Imam et al.
Serial No. 08/845,897
Filed: April 28, 1997
For: POROUS METAL/ORGANIC
POLYMERIC COMPOSITES

Examiner: B. Copenheaver
Group Art Unit: 1771

December 2, 1998

TERMINAL DISCLAIMER

I, Thomas E. McDonnell, Associate Counsel (Patents) for the Naval Research Laboratory, a Federal Laboratory, represent that I am a representative authorized to sign this terminal disclaimer on behalf of the assignee for the above-identified invention, the Government of the United States of America as represented by the Secretary of the Navy. I have reviewed the enclosed copy of the assignment document for the above-identified application, recorded at reel 8716, frame 0550, as well as the enclosed copy of the assignment document for copending United States Patent Application Serial Number 08/846,192, filed April 28, 1997, assignment recorded at reel 8850, reel 0512. To the best of my knowledge and belief, the Government of the United States of America as represented by the Secretary of the Navy, is the owner of the entire right, title and interest in both United States Patent Application 08/845,897 and United States Patent Application 08/846,192.

The Government of the United States of America, as represented by the Secretary of the Navy, hereby disclaims, except as provided below, the terminal part of the statutory term of any

12/28/1998 GUARD 60000001 040814 08845897 patent granted on the instant application, which would extend beyond the expiration date of the full

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statutory term defined in 35 U.S.C. §154 to 156, as presently shortened by any terminal disclaimer, of and patent granted on United States Patent Application Serial Number 08/846,192. The Government of the United States of America, as represented by the Secretary of the Navy, hereby agrees that any patent granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to 156 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in certificate in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by

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fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

FEES

Authorization is hereby granted to charge Deposit Account No. 04-0814 in the amount of \$110.00.

Kindly charge any additional fees due, or credit overpayment of fees, to Deposit Account No. 04-0814.

Respectfully submitted,


Thomas E. McDonnell
Reg. No. 26,950